

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IDENTITY ARTS, LLC,

Plaintiff,

v.

BEST BUY ENTERPRISE SERVICES,
INC., et al.,

Defendants.

No. C 05-4656 PJH

**ORDER DISMISSING
PREVIOUSLY PENDING
MOTION AS MOOT**

The court is in receipt of defense counsel's letter dated September 16, 2009, requesting that the court deny or dismiss as moot defendant's previously pending motion for attorney's fees on appeal, which was transferred to this court for resolution by the Ninth Circuit Court of Appeals. Counsel's letter was filed subsequent to the court's order dismissing the action with prejudice and terminating the case, in light of the parties' stipulation to that effect.

The court notes that, although the motion for attorney's fees on appeal was never officially entered as a noticed motion in this court's dockets (due to its origination in the Ninth Circuit), it nonetheless hereby DISMISSES such motion as moot, for administrative purposes and to the extent it remains pending subsequent to the earlier dismissal of this action.

IT IS SO ORDERED.

Dated: October 19, 2009



PHYLLIS J. HAMILTON
United States District Judge